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**JUN 20 2012**

**CLERK, U.S. DISTRICT COURT  
DISTRICT OF MONTANA  
MISSOULA**

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Plaintiff

UNITED STATES DISTRICT COURT

MISSOULA, MONTANA

MISSOULA COUNTY DIVISION

Jason Christ, Pro Se,	)
	) Case No.: _____
Plaintiff.	)
	) Department: _____
vs.	)
	) PLAINTIFF'S APPLICATION FOR
City of Missoula Police	) TEMPORARY RESTRAINING
	) ORDER, PRELIMINARY AND
Department, Colin Rose,	) PERMANENT INJUNCTION, AND
	) ORIGINAL VERIFIED COMPLAINT
Stacy Lear, Missoula County	) FOR DAMAGES
	)
Attorneys Office, Andrew	)
	)
Paul, Paul Van Valkenberg,	)
	)
Missoula County 911,	)
	)
Officers John Does 1-12;	)
	)
Defendants	)
	)

COMES NOW, Jason Christ, pro se, and files this complaint against the defendants listed above and would show the court as follows:

THE PARTIES

1.Plaintiff, Jason Christ, is a resident of Missoula County and had a business in Missoula with it's primary place of business in Missoula.

2.Defendant, City of Missoula Police Department, is located in and it's primary location for business is in Missoula County, Montana.

3.Defendant Colin Rose is a resident of Missoula County.

4.Defendant Stacy Lear is a resident of Missoula County.

5.Defendant, Missoula County Attorney's Office, is located in and it's primary location for business is in Missoula County, Montana.

6.Defendant, Andrew Paul, is a resident of Missoula County.

1 7. Defendant, Paul Van Valkenberg, is a resident of  
2 Missoula County.

3 8. Defendants Officers 1-12 are various Missoula City  
4 Police and Missoula County Law Enforcement  
5 employees.

6  
7 JURISDICTION AND VENUE

8 9. Subject matter jurisdiction over this cause is  
9 conferred upon and vested in this court under the  
10 laws of the United States.

11 10. Personal Jurisdiction over the Defendants is  
12 vest in this Court under the laws of the United  
13 States.

14 11. All relevant conduct between the plaintiff and  
15 the defendants occurred in the United States in  
16 general, venue is proper in this court.

17  
18 INTRADISTRICT ASSIGNMENT

19 12. This cause of action should be assigned to the  
20 Missoula County Division of this Court because a  
21 substantial part of the events or omissions which

1 gives rise to this lawsuit occurred in Missoula  
2 County.

3  
4 INTRODUCTION

5 13. In 2003, the citizens of Montana passed, by  
6 voter initiative, the legalization of marijuana,  
7 for medical use. It passed by 63% in 2003, and by  
8 2009, 850 patients were signed up as patients with  
9 the Montana department of public health and human  
10 services. ("DPHHS")

11 14. Plaintiff began his business in 2009, in which  
12 he provided a doctor to patients, organized classes  
13 about the law and medical cannabis and participated  
14 in the political arena with lobbying efforts.

15 15. By 2010, plaintiff's business had served over  
16 15,000 patients, Montana State Court experienced  
17 it's first jury nullification/mutiny with regards  
18 to criminal marijuana possession, causing the  
19 prosecution to lose cases.

20 16. In early 2010, plaintiff challenged the  
21 validity of an ordinance that was put into effect

1 by an anti-medical marijuana city attorney, Jim  
2 Nugent. This "law" was never passed by any due  
3 process of passing laws. In other words, Nugent, in  
4 his official capacity, prohibited patients and  
5 caregivers from lawfully growing their own marijuana  
6 within Missoula County. No law existed to this  
7 effect and plaintiff filmed Nugent's verbal attempt  
8 to excuse his mistake. It was put on the internet  
9 and the "law" was redacted.

10 17. This kind of action by cities occurred on a  
11 state-wide scale, as municipalities chose to enact  
12 practices with the same weight and effect as laws  
13 that prohibited patients from being able to access  
14 and use medical marijuana, lawfully under state  
15 law. Part of plaintiff's business during outreach  
16 seminars, included educating the public about these  
17 unlawful practices and how government is supposed  
18 to operate and how to participate.

19 18. Law enforcement provided misinformation and  
20 heavy lobbying efforts in 2010 and 2011 to  
21 eliminate the medical marijuana act. As a result,

1 in 2010 the Montana Legislature passed a repeal  
2 bill, the governor vetoed the legislature's bill,  
3 and the legislature enacted a new medical marijuana  
4 act that eliminated 75% of registered patients, 98%  
5 of the business involved and frightened all but two  
6 doctors from exercising their free speech rights -  
7 to counsel freely a patient, without fear of the  
8 government's intrusion.

9 19. But the results were clear: patients were  
10 getting off of the many dangerous narcotic pills  
11 that had been causing physical ailments which  
12 affected the overall economy, in part, due to the  
13 use of medical cannabis.

14  
15 FACTS

16 20. Beginning in 2009, the Defendants named above  
17 initiated a stream of actions that led to this case  
18 being filed. This included the denial of  
19 plaintiff's rights without due process, denial of  
20 equal protection under the law and malicious  
21

1 prosecution of criminal charges that were/are  
2 frivolous and arbitrarily enforced.

3 21. The defendants instituted a frivolous charges  
4 against the plaintiff - misdemeanors and felonies,  
5 some based on a single phone call where the  
6 plaintiff used the word "fuck". These calls were  
7 charged against the plaintiff in various forms,  
8 including an alleged bomb threat.

9 22. In the alleged bomb threat case, the plaintiff  
10 was not in the jurisdiction of the trial court when  
11 the offense was alleged to have occurred, in  
12 violation of the Montana State Constitution,  
13 Article II, §24. Missoula county does not have  
14 jurisdiction, yet the defendants have continued to  
15 press charges against the plaintiff. The trial  
16 court has refused to dismiss the case, proceeding  
17 under mistake of law, and the plaintiff has  
18 appealed for writ of supervisory control, and has  
19 been denied multiple times.

20 23. The plaintiff, the defendant in that underlying  
21 case, interviewed the prosecution witnesses,



1 examined under oath. The investigating officers  
2 interviewed the prosecution witnesses. In the  
3 underlying case, the prosecution is aware that the  
4 testimony that will be given by the witness will be  
5 purjured, and the trial court has been made aware  
6 of the same - yet the case is continuing to  
7 proceed. The only way that the prosecution can with  
8 its case, is if witnesses lie. Indeed all of the  
9 allegations by the prosecution have already been  
10 controverted several times by the plaintiff.

11 24. The defendants are proceeding in that criminal  
12 case knowing that the witness will have to continue  
13 to commit perjury.

14 25. The intended use of the justice system by the  
15 defendants has been perverted in a design for  
16 prosecution of non-crimes, such as complaining over  
17 the phone, to police, to customer service  
18 representatives, etc. While the underlying reason  
19 for the defendant's prosecution of the criminal  
20 cases are in retaliation for plaintiff's political  
21 involvement and exercise of free speech.



1     26.     Every other criminal case in the same district  
2     where the charges are the same (felony  
3     intimidation), has so much more of a story of  
4     outrageous behavior, that, as one lawyer said it,  
5     "are you serious?". The case against the plaintiff  
6     by the defendant in these multiple criminal cases  
7     are wholly unfounded, no proof exists, the  
8     witnesses testimony has been perjured several  
9     times, and they have been brought, solely for the  
10    purpose to intimidate, harrass and annoy the  
11    plaintiff - to remove his ability to participate in  
12    the political arena, to have a business that hires  
13    doctors who counsel patients to use marijuana. The  
14    actions are designed to also stop his ability to  
15    conduct seminars throughout Montana - educating  
16    people about their rights, beyond medical cannabis.

17  
18    27.     For over three years, the defendants have  
19    engaged in denying equal protection to the  
20    plaintiff, in various forms and levels.

1     28.     When the plaintiff contacted the defendants for  
2     police protection due to a theft at his residence  
3     in 2010, for several thefts and assaults in 2011,  
4     and thefts, assault, battery and police misconduct  
5     in 2012, the defendants did not respond properly.

6     29.     Instead, the defendants 1) ignored the  
7     plaintiff's requests, 2) declined to prosecute 100%  
8     of every complaint, 3) threatened the plaintiff  
9     with arrest if he continued to complain about the  
10    complete lack of equal police protection, and 4)  
11    filed criminal charge after criminal charge against  
12    the plaintiff - for using the word "fuck" over the  
13    phone.<sup>1</sup>

14    30.     Plaintiff has been forced to file civil actions  
15    against those who have harmed him, rather than  
16

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17   <sup>1</sup> The context of which was, "what the fuck?", or "this is fucking shitty", as  
18   opposed to an insult such as "f\*\*k you!" The allegations of every criminal  
19   charge are the same - they don't allege insults, they are charges solely  
20   based on the use of the word "fuck", or another similar word like it. And  
21   neither a stream of them - a single act forms the basis of multiple felonys  
and misdemeanor charges against the plaintiff.

1 prosecution being a part of the right of the  
2 plaintiff to police protection. After all, it is  
3 the tax-payers - the citizens, who pay for police,  
4 and it is their duty to provide those services,  
5 equally to all.

6 31. So the Court, because of the many pleadings  
7 filed by the plaintiff, has labeled the plaintiff a  
8 difficult litigant and "hard to deal with." Which,  
9 if true, would not be agreed upon by the clerks of  
10 that same court - those who do the actual "dealing"  
11 with the plaintiff.

12  
13 32. In early 2012, as a result of the ongoing  
14 harrassment by the police and their affirmative  
15 actions to deprive the plaintiff from equal  
16 protection, the plaintiff was forced to leave  
17 Missoula county.

18 33. Plaintiff moved out of his home. Over a course  
19 of several evenings, after many thefts had already  
20 occurred, and no police protection or prosecution,  
21 plaintiff called the police because at night

1 someone was pointing a red laser into his kitchen,  
2 living room and dining room. This occurred for  
3 several weeks, the police did not investigate, but  
4 they wrote a "silly" report, designed to make the  
5 plaintiff look bad so that they would not take him  
6 serious.

7 34. Within two weeks, plaintiff's car windows and  
8 tires were shot out, items were stolen, and other  
9 things occurred that caused plaintiff to fear for  
10 this life.

11 35. The police refused to investigate any  
12 allegations by the plaintiff, dismissing every call  
13 to 911 as frivolous.

14 36. The plaintiff moved from his home and did not  
15 notify the lower trial courts in the criminal cases  
16 because the defendants would use that against him  
17 to lock him in jail, not because plaintiff was  
18 violating any court orders or state laws, but  
19 because that's how things are done in Missoula  
20 County District State Court.

1 37. Plaintiff moved out, to camp in the woods.

2 38. Plaintiff was camping near Lolo Hot Springs,  
3 about 20 miles into Mineral county, down a vast  
4 network of random unimproved dirt roads, near the  
5 end of one of them, in the middle of nowhere.

6 39. On May 2<sup>nd</sup>, 2012, the plaintiff was supposed to  
7 interview a prosecution witness at 9AM.

8 40. Plaintiff did not appear to interview her  
9 because he thought it was scheduled for two days  
10 later and indeed had set it as such in his  
11 calendar.

12 41. One of many strangest and most frightening  
13 interactions with law enforcement occurred.

14 42. At 5PM on that day, Missoula County sheriff's  
15 deputys, without warrant or permission, entered  
16 Mineral county, and went directly to plaintiff's  
17 vehicle, in which he was sitting, working on a  
18 legal paper.

19 43. The plaintiff heard a knock on his window, he  
20 looked out of his car, saw guns pointed at him and  
21 was instantly frightened.

1 44. The deputies had their guns drawn and pointed  
2 at the plaintiff as they made the plaintiff exit  
3 his car, talk to them. They requested his  
4 identification, and while he was retrieving it from  
5 his car, another officer pointed his gun at the  
6 plaintiff.

7 45. When plaintiff was asked why he was there, he  
8 responded that he liked camping, was working on  
9 some "legal stuff", and had a US field guide army  
10 manual.

11 46. The plaintiff asked if he had done something  
12 wrong (to find out why they were there) and the  
13 deputies responded that someone had called about a  
14 person camping. This call, somehow prompted the  
15 Missoula county sheriff's department to cross  
16 county lines, point their guns at plaintiff, and  
17 harass him about his personal business.

1 47. There exists no laws for the actions taken by  
2 the defendants, and there are no laws prohibiting  
3 what the plaintiff was doing - camping.<sup>2</sup>

4 48. There was no probable cause or court order for  
5 the intrusion on plaintiff's peace and quiet.  
6

7 49. In May and June of 2012, the defendants  
8 threatened the plaintiff with arrest and  
9 prosecution for asserting his request to speak with  
10 a supervisor regarding why the plaintiff was denied  
11 equal protection when assaulted. The plaintiff had  
12 caught the incident on camera, and was threatened by  
13 the police with criminal prosecution if he  
14 complained to supervisors.

15 50. The plaintiff was charged with violating the  
16 Privacy in Communications Act (45-8-213, MCA) for  
17 questioning why the desk officer did not forwarded  
18 plaintiff's many requests to speak with a

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19 <sup>2</sup> Incidentally, plaintiff is vegan (vegetarian) and does not hunt, does not own  
20 any weapons, but is not allowed to have any, to protect himself in the woods  
21 - from bears and such.



1 supervisor. There was no probable cause for the  
2 charges against the plaintiff and the defendants  
3 intentionally did not record the phone call, and,  
4 most importantly, the plaintiff was charged with a  
5 crime for using the word "fuck" over the phone.<sup>3</sup>

6 51. The defendants attempted to subvert justice,  
7 attempting to acquire a warrant for plaintiff's  
8 arrest, without due process of law.

9 52. The defendants sent a copy of a ticket to the  
10 plaintiff's P.O. Box, unregistered. They did not  
11 attempt any kind of proper service. Defendants  
12 charged plaintiff with the crime of using the "f"  
13 word over the phone.

14  
15 53. The defendants have not investigated the leads  
16 or information provided by the plaintiff in  
17

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18  
19 <sup>3</sup> Again, the context of which was, "what the fuck?", or "this is fucking  
20 shitty", as opposed to an insult such as "f\*\*k you!" Regardless, it was to a  
21 trained police officer, specially educated to tolerate such expressions of  
dissatisfaction with the government's actions.

1 criminal charges, or in complaints made to the  
2 police, such as when the plaintiff was assaulted.

3 54. Instead, the defendants filed complaints  
4 against the plaintiff. For over three years, the  
5 defendants have continued improper proceedings  
6 against the plaintiff. Some of the proceedings have  
7 been dismissed, because there has been no probable  
8 cause, or for improper venue, or because the  
9 "victim's" testimony has been found to be made  
10 up.

11  
12 55. In the course of making false claims in  
13 affidavits to magistrates, the defendants engaged  
14 in a pattern of illegal searches and seizures of  
15 the plaintiff, his person, places and effects.

16 56. Defendants made an illegal search and seizure  
17 of an unauthenticated recorded phone call,  
18 allegedly the plaintiff, cussing out a customer  
19 service representative.

20 57. The plaintiff was charged with the crime of  
21 cussing over the phone, by Information, outlining a

1 phone call, a bomb threat, and two (or three<sup>4</sup>)  
2 counts of felony intimidation.

3 58. The plaintiff was another county at the time  
4 the plaintiff was alleged to have committed the  
5 crime of intimidation - based on an unrecorded,  
6 alleged bomb threat.

7 59. No jurisdiction in Missoula county was proper,  
8 yet the defendants maintained an illegal action  
9 against the plaintiff, the defendants sought and  
10 seized "evidence" without warrants - while  
11 simultaneously lawfully obtaining evidence from the  
12 same party.

13 60. The plaintiff was entitled to, and expected,  
14 privacy of his persons, places and effects. Yet the  
15 defendants ignored his rights and affirmatively  
16 violated plaintiff's right to be secure in his  
17 person, places and effects.

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18  
19 <sup>4</sup> The State (prosecution) has been threatening to add more felony charges for  
20 the same act of the plaintiff for two years, in retaliation for the  
21 plaintiff's filing of motions in the underlying case.

1     61.     The defendants engaged in a series of  
2     defamatory actions that caused others to have a  
3     negative view of the plaintiff, causing the  
4     material denial of plaintiff's rights.

5     62.     The defamatory remarks were written, some by  
6     hand, some in email, and some verbally.

7     63.     The defendants contacted the news media just  
8     before several situations in which the plaintiff  
9     was searched, or arrested - the defendants used the  
10    media to embarrass the plaintiff.

11    64.     Those remarks were untrue, the defendants did  
12    not have a privilege to disseminate that  
13    information.

14    65.     The Montana Fourth Judicial District Court has  
15    been presiding over a case for the last 2 years in  
16    which the plaintiff in the instant case has been  
17    charged with two (or three) counts of felony  
18    intimidation for complaining about his cell phone  
19    service.

20    66.     The State Court is proceeding under several  
21    mistakes of fact (stipulated by the prosecution)

1 and law that are clearly shown to be incorrect by  
2 documented evidence in the form of database  
3 records, but the lower State Court has proceeded  
4 under a number of procedural errors that, if  
5 allowed to continue, will deprive the plaintiff in  
6 the instant case, the right to a fair trial.

7 67. In the State criminal case against the  
8 plaintiff, the Court has ordered the production of  
9 evidence exculpatory and inculpatory in nature, for  
10 the plaintiff's defense, yet it has refused to  
11 enforce any of it's orders.

12 68. Additionally, the State Court has not dismissed  
13 the charges, even though the defendant was in  
14 another county at the time of the alleged offense,  
15 the State stipulates to this fact, and the US  
16 Constitution states that the accused shall have  
17 the right to a jury trial by his or her peers. In  
18 the Montana Constitution, (Art. II, §24), the  
19 accused shall have the right to a trial in the  
20 county in which the offense is alleged to have  
21 occurred.

1 69. The State District Court has independently  
2 sought and found case law that weakly supports the  
3 State's position, in order to keep the case in  
4 Missoula County, which is not the definition of  
5 "impartial judge" and does not lead to a fair  
6 trial.

7 70. The State court has ordered that the plaintiff  
8 gets only one lawyer - Katie Green, Esq., who is so  
9 busy that in the last month, she has not had any  
10 time to meet with the plaintiff and help with his  
11 criminal charges. In fact, she was told by her  
12 director, not to participate or help the plaintiff  
13 as a defendant in the pending State criminal  
14 charges against him.

15 71. The State Court, being briefed on this issue,  
16 has ignored the plaintiff's plea for legal  
17 assistance. These criminal charges against him have  
18 cost him his business, reputation, freedom, right  
19 to medical help, ability to get a job or rent a  
20 home and position in the medical industry.

1       72.     The Montana Supreme Court has refused the  
2       plaintiff's repeated requests for writs of  
3       supervisory control.

4  
5       73.     The plaintiff has been frightened away from  
6       living in Missoula county, or in the surrounding  
7       counties, based on the stream of continuous  
8       harrassment from local law enforcement in Missoula  
9       city and county. It has affected his bodily  
10      functions.

11      74.     The defendants have refused to allow the  
12      plaintiff to make complaints through the  
13      administrative process of the Missoula Police  
14      Department.

15      75.     The governor of the State of Montana has  
16      refused to hear any complaints, and the attorney  
17      general for the State of Montana was a defendant in  
18      a case against the State, because the plaintiff  
19      sued the State for not allowing the plaintiff  
20      access to his medicine. The AG has never returned  
21      the plaintiff's calls.



1 76. Due to the multiple criminal charges against  
2 the plaintiff in the State criminal charge, the  
3 plaintiff has been detained in Montana, unable to  
4 travel, visit family, or manage his business  
5 affairs. It has cost him relationships, both  
6 business and personal and has cost him well over 7  
7 million dollars in lost profits and costs. He  
8 cannot respond to family emergencies.

9 77. Plaintiff is detained in Montana, without being  
10 convicted of any crimes, and without Constitutional  
11 due process of law.

12 78. Plaintiff has been denied many rights during  
13 the pendency of the criminal charges against him.  
14 He is not allowed to have alcohol, to own a weapon,  
15 to use drugs, to travel, to enter bars, no contact  
16 with Verizon and required to hire an attorney. But  
17 there has never been any hearing on a restraining  
18 order, any hearing whatsoever to determine if the  
19 denial of the plaintiff's rights are lawful, or  
20 even necessary.  
21

1 79. The plaintiff has no criminal record, has  
2 appeared at every hearing, and cannot get a cell  
3 phone in Montana due to the denial of his rights.  
4

5 80. The Missoulian, a Montana state newspaper with  
6 strong political ties, has defamed the plaintiff in  
7 its' many front page stories about the plaintiff  
8 and his criminal charges, has labelled the  
9 plaintiff a "jerk" and the biggest grower of  
10 marijuana in Montana. But the plaintiff never grew,  
11 did not sell or distribute marijuana. The plaintiff  
12 did not have any ties, financial or otherwise, with  
13 caregivers - those who legally grew marijuana. The  
14 plaintiff owned a medical clinic that provided  
15 outreach seminars and arranged doctor-patient  
16 visits.

17 81. As a result of the newspaper's untrue  
18 statements, statements that have not been verified,  
19 the plaintiff has suffered law enforcement  
20 retaliation everywhere in Montana - it is State-  
21 wide.

1  
2 82. In May of 2012, the plaintiff was in Arlee, MT,  
3 and had pulled over to the side of the road in a  
4 sparsely populated area to use his computer. He was  
5 on the side of the road, parked legally, and no  
6 visible signs stated otherwise.

7 83. A Montana law enforcement officer, came out of  
8 a residential house, wearing plain clothes, without  
9 a badge or gun, approached plaintiff's car windows  
10 and attempted to enter and search the plaintiff's  
11 vehicle.

12 84. Plaintiff moved his vehicle down the street,  
13 and the officer went back into the house, put on a  
14 black vest and gun, got into an unmarked vehicle,  
15 and pulled behind the plaintiff's car, with police  
16 lights and siren blazing.

17 85. The officer got out of his car, went up to the  
18 plaintiff's driver door, opened the door and pulled  
19 plaintiff from his car. Plaintiff attempted to put  
20 on his bag (it has a shoulder strap) and the  
21 officer said, "you won't need that where you're

1       going", and put handcuffs on him. The officer began  
2       to search the plaintiff's person, bag and car.

3       86.     Plaintiff objected to the search and asked the  
4       officer what he was doing and why. Officer  
5       responded that he knew the plaintiff, and stated,  
6       "so you like to be on the front cover of the  
7       Missoulain, do ya?" The officer put the plaintiff  
8       in the back of his unmarked police vehicle, and  
9       began searching quicking and sporatically for  
10      something. This caused plaintiff to fear that he  
11      would be murdered because of what the officer said,  
12      that the officer was looking for a potential  
13      weapon, and that the officer did not follow any  
14      kind of protocol commonly used by law enforcement.

15     87.     The officer did not display any show of  
16     authority to arrest the plaintiff, nor did the  
17     officer follow procedure; instead, the officer,  
18     unlawfully detained the plaintiff, without probable  
19     cause, made statements designed to terrify the  
20     plaintiff and make him feel like he was going to be  
21     killed.

1 88. After 20 minutes, a supervising officer showed  
2 up and the first officer let the plaintiff go  
3 without mention of any crimes committed or why the  
4 plaintiff was detained in the first place.

5 89. No charges were filed, the officer did not  
6 inquire as to the plaintiff's status, what he was  
7 doing, and was verbally and physically abusive with  
8 the plaintiff. The officer never told the plaintiff  
9 why he had arrested and detained him for 30  
10 minutes, without probable cause for any crime.

11 90. The officer did not ask for the plaintiff's  
12 driver's license.  
13

14 91. In 2010, after allegations by former employees  
15 alleging fraud by the plaintiff, the defendants  
16 engaged in a search and seizure, highly publicized,  
17 of plaintiff's business. As filmed and pictured in  
18 the local, state and national news, they took  
19 computers, contracts, bank information, tax  
20 paperwork, medical records, and 28,000 patient  
21 records, and more.

1 92. The Missoula county detectives contacted and  
2 threatened plaintiff's doctors, patients, several  
3 caregivers and other affiliates.

4 93. The detectives followed up with patients about  
5 their medical conditions and why the doctors had  
6 written certain things in the medical records.

7 94. Then, the detectives cross referenced this  
8 information with the DPHHS in Helena, provided  
9 information to Federal DEA and FBI agents, which  
10 resulted in many of the raids and federal criminal  
11 charges against many law abiding citizens of  
12 Montana and the United States.

13 95. The case in Missoula State District Court was  
14 opened so that the State would be able to acquire  
15 that which could otherwise never have been  
16 acquired: patient medical records and contacts of  
17 the plaintiff and his doctors and affiliates.

18 96. The case was closed in Missoula State District  
19 Court, without any charges against the plaintiff.

20 97. The plaintiff had to envoke court action to get  
21 the defendants to return his items but they did not

1 return all of the items. Some of the items were  
2 destroyed or otherwise lost.

3  
4 REQUEST FOR INJUNCTIVE RELIEF AND PROTECTIVE ORDER

5 98. The actions by the defendants are not legal.

6 99. The plaintiff needs protection from Missoula  
7 county sheriff's, the city of Missoula police, and  
8 law enforcement in the State of Montana, because  
9 they are breaking the law, violating the US and  
10 Montana Constitutions, and the State Courts are  
11 denying the plaintiff due process and equal access  
12 to the courts. They have dismissed cases, solely on  
13 the basis of his pro se status in court.

14 100. Between 2011 and 2012, a Missoula Court ordered  
15 that the plaintiff be prohibited from access to the  
16 only law library in Montana. (Actually, there is  
17 one other, in Helena, about ¼ the size of the UM  
18 Law Library.)

19 101. For over two months, the plaintiff was denied  
20 access to any legal resources whatsoever. The  
21 decisions were appealed to the appellate court, and



1 all of the cases with all of the judges in all of  
2 the State courts, denied the plaintiff's 14 motions  
3 for stay of proceedings and denied his requests for  
4 extensions and continuances.

5 102. In 2012, the State Court dismissed civil  
6 complaints against others, where the plaintiff was  
7 pro se, solely because he was pro se. The judge in  
8 that case told the plaintiff that he would have to  
9 hire a lawyer if he wanted justice, barring  
10 plaintiff's equal access to the courts, a US  
11 Constitutional guarantee.

12 103. In 2012, the judge in another case announced  
13 that the Missoula Fourth Judicial District State  
14 Court was having problems with the plaintiff  
15 because he filed many pleadings. The court called  
16 plaintiff a "difficult litigant", based solely on  
17 the number of pleadings, not on the merits of those  
18 papers.

19 104. The plaintiff requests protection from Missoula  
20 city and county public officials, including but not  
21 limited to mayor, city attorney, county attorney,

1 city police and county sheriff from state police  
2 from retaliation and revenge against the plaintiff  
3 due to this complaint against the defendants.

4 105. Their actions, if not halted, will cause  
5 irreparable harm to the plaintiff.

6 106. No remedy exists for the harm to the plaintiff  
7 by the defendants.

8 107. The plaintiff requests that this court issue a  
9 protective order against the defendants to stop  
10 them from harassing and any malicious prosecution  
11 against the plaintiff.

12 108. If the plaintiff uses "unclean" words over the  
13 phone, he is charged with a crime by the State of  
14 Montana, and this is unlawful because it is  
15 directly against the freedom of speech.

16 109. The defendants have filed another complaint in  
17 a state court against the defendant, but the  
18 prosecution has not begun. The complaint is based  
19 on an unconstitutional law: 45-8-213, MCA, which  
20 allows law enforcement the arbitrary ability to  
21 arrest anyone for using the word "fuck" over the

1 phone, internet, email, or text message. The  
2 statute states that use of a profane word using any  
3 kind of electronic communication is evidence of a  
4 defendant's intent to harrass, annoy, offend, etc.,  
5 another person, which is a misdemeanor crime.

6 110. The plaintiff tried to make a formal complaint  
7 to the police, about the police, and they did not  
8 allow him to make a complaint. Plaintiff complained  
9 about it, making the statement, "what the fuck?",  
10 and as a result, was charged with violating 45-8-  
11 213, MCA, a misdemeanor.

12 111. The defendants did not serve the plaintiff with  
13 the ticket. It was mailed to him, unregistered to  
14 his PO Box.

15  
16 CLAIM I - ABUSE OF PROCESS

17 112. The defendants had an ulterior purpose for  
18 using legal processes;

19 113. The defendants committed willful acts in the  
20 use of processes;  
21

1 114. The defendants' willful acts misused or  
2 perverted the intended use of the process; and

3 115. The plaintiff was damaged and harmed as a  
4 result of the defendants' actions.

5  
6 CLAIM II - DENIAL OF EQUAL PROTECTION UNDER THE LAW

7 116. The plaintiff was entitled to equal protection  
8 under the law, from the defendants.

9 117. The plaintiff's involvement with the medical  
10 marijuana program in Montana precluded and was the  
11 cause of the class designation of the plaintiff by  
12 the defendants.

13 118. The defendants were obligated to provide equal  
14 protection to the plaintiff.

15 119. The defendants intentionally and maliciously  
16 denied equal protection to the plaintiff.

17 120. The plaintiff suffered damages as a direct  
18 result of the defendants' actions.

CLAIM III - MALICIOUS PROSECUTION

121. The defendants instituted and continued many judicial proceedings against the plaintiff.

122. The proceedings were instigated and abetted by defendants.

123. The proceedings terminated favorably for the plaintiff.

124. The proceedings against the plaintiff lacked probable cause.

125. The defendants instituted the proceedings with malice and reckless disregard for the truth.

126. The actions by the defendants injured the plaintiff.

127. The actions by the defendants caused damage to the plaintiff.

CLAIM IV - INVASION OF PRIVACY

128. The plaintiff had a right to the privacy of plaintiff's person, places and effects, and to be free from unreasonable searches and seizures without a compelling state interest. However, the

1 defendants were unreasonable in their search and  
2 seizure of the plaintiff's persons and effects,  
3 because without a search warrant it was *per se*  
4 unreasonable.

5 129. The defendants did not have a compelling State  
6 interest, and the unlawfully seized "evidence" was  
7 not going anywhere, it had been preserved by the  
8 "victims", defendants were aware of the  
9 preservation.

10 130. The access to the plaintiff's private  
11 information was unlawful.

12 131. The plaintiff suffered harm as a result of the  
13 defendants' invasion of privacy because the  
14 transcript of that phone call was put into the  
15 public charging documents accusing the plaintiff of  
16 cussing out customer service.

17 132. The plaintiff suffered harm to his reputation  
18 and right to an impartial trial by his peers  
19 because of the massive publicity that the  
20 transcript produced.

CLAIM V - SLANDER

133. The defendants engaged in making statements that were not true about the plaintiff to other persons, in written form, in the charging documents and other pleadings to the court, and in written communication to the press, public and elected officials, and departments entrusted in public administration and order.

134. Others relied on that information.

135. The defendants knew or should have known that the information was false.

136. The defendants accused the plaintiff of crimes, falsely and without legal justification.

137. The information that the defendants provided to others was false and the defendants did not have any privilege to disseminate that information.

138. The plaintiff was damaged as a result of the defendants' slander.



CLAIM VI - LIBEL

139. The defendants engaged in making statements that were not true about the plaintiff to other persons, verbally, including, but not limited to the media and other departments engaged in law enforcement and public administration.

140. Others relied on that information.

141. The defendants knew or should have known that the information was false.

142. The information that the defendants provided to others was false and the defendants did not have any privilege to disseminate that information.

143. The plaintiff was harmed as a result of the defendants' libel.

CLAIM VII - NEGLIGENCE

144. The defendants owed a duty to the plaintiff to investigate the plaintiff's assertions of assault and false testimony by witnesses and alleged victims.

1 145. The defendants owed a duty to the plaintiff to  
2 dismiss the claims against the plaintiff when they  
3 learned that the victim / witnesses were biased and  
4 providing false information to the defendants in  
5 order to get the plaintiff in trouble.

6 146. The defendants owed a duty to the plaintiff to  
7 provide equal protection under the laws.

8 147. The defendants owed a duty to the plaintiff to  
9 follow the rules of criminal procedure and the  
10 Montana and US Constitution, having made an oath to  
11 support and defend the same.

12 148. The defendants engaged in prosecuting the  
13 plaintiff in a court that was not the correct  
14 venue, even after being notified of the issue, the  
15 defendants brought more frivolous charges against  
16 the plaintiff, instead of dismissing those charges.

17 149. The defendants owed a duty to the plaintiff to  
18 investigate allegations of police misconduct and  
19 for supervisor contact regarding complaints about  
20 law enforcement response.

1 150. The defendants owed a duty to the plaintiff to  
2 provide accurate information to the courts.

3 151. The defendants breached that duty of care.

4 152. The defendants' actions were the proximate  
5 cause of the harm to the plaintiff.

6 153. The plaintiff suffered damages as a result in  
7 having to defend allegations brought in an improper  
8 venue and against charges that were brought without  
9 probable cause.

10 154. The plaintiff has suffered reputation,  
11 emotional and economic damages.

12  
13 CLAIM VIII - INTENTIONAL INFLICTION OF EMOTIONAL  
14 DISTRESS

15 155. The defendants' conduct was extreme and  
16 outrageous;

17 156. The defendants acted intentionally and  
18 recklessly;

19 157. The plaintiff suffered severe emotional  
20 distress; and  
21

1 158. The defendants' conduct was the proximate cause  
2 of the emotional distress suffered by the  
3 plaintiff.  
4

5 CLAIM IX - FALSE IMPRISONMENT

6 159. The defendants deprived the plaintiff of his  
7 liberty by bringing charges that could not be  
8 brought in this jurisdiction and venue, were  
9 brought without probable cause and deprived the  
10 plaintiff of his liberty by denying him the ability  
11 to travel freely, to be free from court obligations  
12 and to be free from the social and financial  
13 burdens placed upon the accused if criminal charges  
14 are brought.

15 160. The deprivation of liberty was done without the  
16 plaintiff's consent.

17 161. The deprivation was done without legal  
18 justification.  
19  
20  
21

1                   CLAIM X - UNLAWFUL ARREST AND DETENTION

2       162.   The defendants deprived the plaintiff of  
3       federally protected rights, privileges, and  
4       immunities;

5       163.   The defendants took action under the color of  
6       state law.

7  
8                   CLAIM XI - USCA §1983 VIOLATION

9       164.   Deprivation of a federally protected right,  
10      privilege, or immunity.

11      165.   Action by the defendant under color of state  
12      law.

13  
14                  CLAIM XII - INTENTIONAL INTERFERENCE WITH A PROSPECTIVE  
15                                  BUSINESS ADVANTAGE

16      166.   The defendants were aware of, and actually  
17      interfered with, the plaintiff's existing or  
18      reasonable expected relationship with a third  
19      party, relationships which were likely to provide  
20      future economic benefits to the plaintiff.

1 167. The defendants intended to interfere and acted  
2 with the sole purpose of harming the plaintiff, and  
3 the defendants employed wrongful methods in  
4 effecting the interference.

5 168. The defendants' interfering conduct was not  
6 justified or privileged.

7 169. The plaintiff suffered actual damages that, but  
8 for the defendants' interference, would not have  
9 occurred.

10 170. The plaintiff suffered punitive damages and  
11 attorney's fees.

12  
13 CLAIM XIII - OUTRAGE

14 171. The defendants conduct was so extreme and  
15 outrageous that the plaintiff is entitled to  
16 recovery.

17 172. The emotional distress suffered by the  
18 plaintiff is in such extreme degree that the law  
19 must intervene because the distress inflicted is so  
20 severe that no reasonable person should be expected  
21 to endure it.

CLAIM XIV - FALSE LIGHT INVASION OF PRIVACY

173. The defendants engaged in a search of plaintiff's business, without probable cause, took all of the major tools used by his business and his 15+ employees, held them for two months, and then would not release it without the plaintiff's having to petition the court and obtain court orders.

174. On the way to the plaintiff's business, the defendants contacted the Missoulian and the entire search was captured on TV and in the newspaper, because reporters showed up.

175. There were no charges filed, but the publicity generated caused a drop in plaintiff's business because it harmed his credibility.

CLAIM XV - SEARCH AND SEIZURE VIOLATIONS

176. The plaintiff had the right to be secure in his person, places, and effects according the 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 14<sup>th</sup> Amendments to the US Constitution.

177. The defendants repeatedly violated the plaintiff's right to privacy when they conducted a



1 search at plaintiff's business, obtaining 30,000  
2 patient medical records and database information,  
3 in violation of HIPPA. The records were not  
4 included in the search warrant because it would  
5 have been unlawful for any Court to order their  
6 disclosure.

7 178. The harm to plaintiff's business because his  
8 patients could no longer be certain that their  
9 medical history would remain confidential can  
10 hardly be measured.

11 179. The harm to the plaintiff's clients and  
12 patients, and to the reputation of the plaintiff  
13 with his doctors cannot be measured. The police  
14 took patient medical records without a search  
15 warrant, outside of the law, illegally, and then  
16 used it to conduct raids and searches on those  
17 patients.

18 180. The defendants continued to violate the  
19 plaintiff's rights to privacy when the defendants  
20 searched and seized his account information at his  
21 cell phone carrier, without a warrant. Nor was the

1 item seized in plain view, it was private and held  
2 behind firewalls and highend technical barriers.  
3 Nor was the item mentioned in the return, nor was  
4 the item obtained by any other party, lawfully.

5 181. The State Court refuses to suppress this  
6 illegally obtained evidence, and the Appellate  
7 Court has refused to grant the plaintiff a writ of  
8 supervisory control.

9 182. The plaintiff cannot exhaust any more remedies,  
10 he has filed over 1,300 pleadings in the 25 civil  
11 and 1 criminal case in which he is involved. Not  
12 one of his pleadings or causes have been deemed  
13 frivolous in the 3 years he has been litigating.  
14 Even after filing multiple motions for  
15 reconsideration, because the court is proceeding  
16 under plain error, the lower State Courts continue  
17 to refuse to reverse their orders, depriving the  
18 plaintiff of due process, equal access to the  
19 courts and the general deprivation of his civil  
20 rights in violation of §1983, U.S.C.

WHEREFORE,

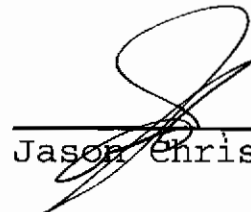
Plaintiff demands a trial by jury, injunctive relief in form of stay of proceedings in the State Court, pending this Federal action and that the court finds judgment against the defendants as follows:

- 1.Damages from time lost in pursuing this action to make the plaintiff whole, as the plaintiff is pro se and entitled to be compensated for time spent in the amount of \$26,850.00;
- 2.Damages from the lost business from industry relationships in the amount of \$1,568,000.00;
- 3.Damages from having to hire legal counsel to defend himself in the underlying frivolous lawsuits in the amount of \$34,000.00;
- 4.Punitive damages in the amount of \$50,000,000.00, for defendants' willful and malicious actions in misusing and perverting process, for it's intentional infliction of emotional distress and for punitive damages for the other claims.

- 1 5.Costs of the suit to be taxed to Defendants;
- 2 6.Interest to the date of the payment at the lawfully
- 3 allowable percentage rate per annum; and,
- 4 7.Such other and further relief as the court
- 5 considers just and proper.
- 6

7 Dated this 20<sup>th</sup> day of June, 2012.

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Jason Christ, Pro Se

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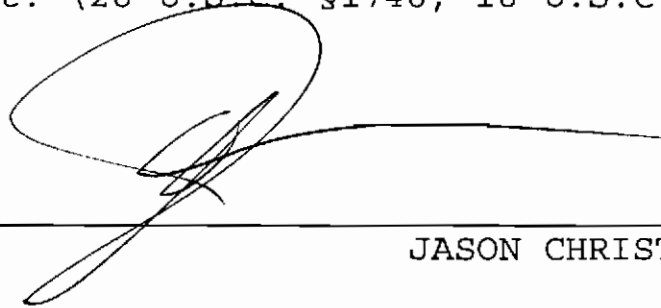
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21

VERIFICATION

State of Montana       )  
                                  ) ss.  
County of Missoula     )

I, Jason Christ, after being first duly sworn on oath do depose and say: that I am the Jason Christ, referred to this foregoing Verified Complaint, that I have read the foregoing, know the contents thereof, and that the facts and matters therein contained are true, accurate and complete. I further declare under penalty of perjury that I am the plaintiff in this action, I have read this complaint, and the information set forth herein is true and correct. (28 U.S.C. §1746; 18 U.S.C. §1621.)



A handwritten signature in black ink, appearing to read 'Jason Christ', is written over a horizontal line. The signature is stylized with a large loop at the top and a long horizontal stroke extending to the right.

JASON CHRIST

SWORN to and subscribed before me, this the 20<sup>th</sup> day of June, 2012.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

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